

**Introduced by Senator Atkins**

(Principal coauthor: Assembly Member Cristina Garcia)

February 8, 2017

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An act to amend Section 52.6 of the Civil Code, relating to human trafficking.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 270, as introduced, Atkins. Human trafficking recognition and reporting: training: hotels and motels.

Existing law requires certain business establishments to post a notice in a conspicuous place, as specified, regarding human trafficking. Existing law prescribes a civil penalty for a failure to comply with these requirements of \$500 for a first offense and \$1,000 for each subsequent offense. Under existing law, any person who deprives or violates the personal liberty of another with the intent to obtain forced labor or services is guilty of the crime of human trafficking.

This bill would require a hotel or motel that provides lodging services in the state to train its employees who are likely to interact or come into contact with victims of human trafficking in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency, as specified. The bill would prescribe certain characteristics that the training program is required to have and require it to be approved by the Department of Justice. The bill would require the Department of Justice to develop an approved training program for use by hotels and motels and post it on its Internet Web site and would authorize the department to approve a private program, as specified. The bill would require, by January 1, 2019, that the training be incorporated into the initial training process for all new employees and

that all employees who did not receive an initial training also receive the training.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 52.6 of the Civil Code is amended to  
2 read:  
3 52.6. (a) Each of the following businesses and other  
4 establishments shall, upon the availability of the model notice  
5 described in subdivision (d), post a notice that complies with the  
6 requirements of this section in a conspicuous place near the public  
7 entrance of the establishment or in another conspicuous location  
8 in clear view of the public and employees where similar notices  
9 are customarily posted:  
10 (1) On-sale general public premises licensees under the  
11 Alcoholic Beverage Control Act (Division 9 (commencing with  
12 Section 23000) of the Business and Professions Code).  
13 (2) Adult or sexually oriented businesses, as defined in  
14 subdivision (a) of Section 318.5 of the Penal Code.  
15 (3) Primary airports, as defined in Section 47102(16) of Title  
16 49 of the United States Code.  
17 (4) Intercity passenger rail or light rail stations.  
18 (5) Bus stations.  
19 (6) Truck stops. For purposes of this section, “truck stop” means  
20 a privately owned and operated facility that provides food, fuel,  
21 shower or other sanitary facilities, and lawful overnight truck  
22 parking.  
23 (7) Emergency rooms within general acute care hospitals.  
24 (8) Urgent care centers.  
25 (9) Farm labor contractors, as defined in subdivision (b) of  
26 Section 1682 of the Labor Code.  
27 (10) Privately operated job recruitment centers.  
28 (11) Roadside rest areas.  
29 (12) Businesses or establishments that offer massage or  
30 bodywork services for compensation and are not described in  
31 paragraph (1) of subdivision (b) of Section 4612 of the Business  
32 and Professions Code.

1 (b) The notice to be posted pursuant to subdivision (a) shall be  
2 at least eight and one-half inches by 11 inches in size, written in  
3 a 16-point font, and shall state the following:

4  
5 “If you or someone you know is being forced to engage in any activity and  
6 cannot leave—whether it is commercial sex, housework, farm work,  
7 construction, factory, retail, or restaurant work, or any other activity—call the  
8 National Human Trafficking Resource Center at 1-888-373-7888 or the  
9 California Coalition to Abolish Slavery and Trafficking (CAST) at  
10 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 to access help and services.

11  
12 Victims of slavery and human trafficking are protected under United States  
13 and California law.

14  
15 The hotlines are:

- 16 · Available 24 hours a day, 7 days a week.  
17 · Toll-free.  
18 · Operated by nonprofit, nongovernmental organizations.  
19 · Anonymous and confidential.  
20 · Accessible in more than 160 languages.  
21 · Able to provide help, referral to services, training, and general information.”  
22

23 (c) The notice to be posted pursuant to subdivision (a) shall be  
24 printed in English, Spanish, and in one other language that is the  
25 most widely spoken language in the county where the establishment  
26 is located and for which translation is mandated by the federal  
27 Voting Rights Act (42 U.S.C. Sec. 1973 et seq.), as applicable.  
28 This section does not require a business or other establishment in  
29 a county where a language other than English or Spanish is the  
30 most widely spoken language to print the notice in more than one  
31 language in addition to English and Spanish.

32 (d) On or before April 1, 2013, the Department of Justice shall  
33 develop a model notice that complies with the requirements of this  
34 section and make the model notice available for download on the  
35 department’s Internet Web site.

36 (e) A business or establishment that fails to comply with the  
37 requirements of this section is liable for a civil penalty of five  
38 hundred dollars (\$500) for a first offense and one thousand dollars  
39 (\$1,000) for each subsequent offense. A government entity  
40 identified in Section 17204 of the Business and Professions Code

1 may bring an action to impose a civil penalty pursuant to this  
2 subdivision against a business or establishment if a local or state  
3 agency with authority to regulate that business or establishment  
4 has satisfied both of the following:

5 (1) Provided the business or establishment with reasonable  
6 notice of noncompliance, which informs the business or  
7 establishment that it is subject to a civil penalty if it does not  
8 correct the violation within 30 days from the date the notice is sent  
9 to the business or establishment.

10 (2) Verified that the violation was not corrected within the  
11 30-day period described in paragraph (1).

12 (f) *(1) A hotel or motel that provides lodging services in the*  
13 *state shall train its employees who are likely to interact or come*  
14 *into contact with victims of human trafficking in recognizing the*  
15 *signs of human trafficking and how to report those signs to the*  
16 *appropriate law enforcement agency. The training program shall*  
17 *be approved by the Department of Justice. An approved training*  
18 *program shall include, but not be limited to, the following:*

19 (A) *The definition of human trafficking and commercial*  
20 *exploitation of children.*

21 (B) *Guidance on how to identify individuals who are most at*  
22 *risk for human trafficking.*

23 (C) *The difference between labor and sex trafficking specific to*  
24 *the hotel sector.*

25 (D) *Guidance on the role of hospitality employees in reporting*  
26 *and responding to this issue.*

27 (2) (A) *By July 1, 2018, the Department of Justice shall develop*  
28 *an approved training program that complies with the requirements*  
29 *of paragraph (1) for use by hotels and motels and shall post it on*  
30 *its Internet Web site.*

31 (B) *The Department of Justice may approve a private training*  
32 *program that has been created with the assistance of recognized*  
33 *anti-human trafficking organizations.*

34 (3) *By January 1, 2019, the training required by paragraph (1):*

35 (A) *Shall be incorporated into the initial training process for*  
36 *all new employees who are likely to interact or come into contact*  
37 *with victims of human trafficking.*

- 1     *(B) Shall be given to all employees who did not receive an initial*
- 2     *training required by subparagraph (A) and who are likely to*
- 3     *interact or come into contact with victims of human trafficking.*

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